


FEBRUARY 23, 2009

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON FEBRUARY 23, 2009, IN THE TRUST LANDS ADMINISTRATION OFFICE, 675 EAST 500 SOUTH, SUITE 500, SALT LAKE CITY, UTAH 84102-2818, ON THE MINERAL, SURFACE, DEVELOPMENT, AND FEE WAIVER BUSINESS MATTERS AS INDICATED AND WHICH BECOME EFFECTIVE AT 6:00 P.M. ON FEBRUARY 23, 2009.

THESE MINUTES INCLUDE MINERAL ACTIONS AS LISTED ON PAGES 1 TO 4; SURFACE ACTIONS AS LISTED ON PAGES 4 TO 17; DEVELOPMENT ACTIONS AS LISTED ON PAGES 18 TO 21; AND ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGE 21.

THESE MINUTES ARE DEEMED THE FINAL AGENCY ACTION CONCERNING THESE MATTERS AND ARE SUBJECT TO REVIEW AND/OR ADJUDICATION PURSUANT TO R850-8 OF THE AGENCY'S RULES. ANY APPEAL OF MATTERS CONTAINED WITHIN THESE MINUTES MUST BE IN WRITING, PURSUANT TO R850-8-1000, AND MUST BE RECEIVED BY THE OFFICE OF THE DIRECTOR BY 6:00 P.M. ON MONDAY, MARCH 9, 2009. APPEALS NOT FILED BY THAT TIME WILL BE CONSIDERED UNACCEPTABLE AND THE MATTERS WILL BE UNAPPEALABLE.

  
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KEVIN S. CARTER, DIRECTOR  
SCHOOL AND INSTITUTIONAL  
TRUST LANDS ADMINISTRATION  
\_\_\_\_\_  
LESLIE M. WARNER, RECORDS OFFICER

ARCHIVES APPROVAL NO. 7990209

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## MINERAL ACTIONS

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### **READJUSTMENT OF ML 3092 - VOLCANIC MATERIAL - INCLUDING PERLITE ROCK (SCH)**

The above-numbered mineral lease covering 160.00 acres of trust land in Beaver County, Utah, was issued September 16, 1949, on condition that Lessor may readjust the terms and conditions of the lease at the end of each twenty-year period from the first day of the year in which the lease was issued. Accordingly, the lease is subject to a readjustment in terms and conditions effective January 1, 2009. The Lessee, Basin Perlite Company, 1400 Sixteenth Street, Suite 200, Denver, CO 80202, was notified of such pending readjustment prior to the end of 2008 (See Director's Minutes dated December 22, 2008). The Minerals Group subsequently negotiated readjustment terms and conditions acceptable to both the Lessee and the Lessor, described as follows.

- 1) The readjusted lease is placed on the current Generic Mineral Lease Form in standard use by the Trust Lands Administration.
- 2) The leased substances are classified as Volcanic Materials R850-25-100(1)(j), but also expressly include perlite rock.
- 3) The lease term is changed to ten years, with the right of readjustment by the Lessor at the end of each five-year period.
- 4) Lessee is required to commence paying an annual minimum royalty of \$6,000 on January 1, 2011, or two years into the current lease readjustment period.
- 5) The lease may not be extended each year beyond twenty years from the readjustment date of January 1, 2009, except by actual production of the leased substances.
- 6) The annual lease rental is \$1 per acre, but not less than \$500 for the entire acreage within the lease.
- 7) Production royalties must be paid at the rate of 10% gross value, f.o.b. mine, but not less than \$1 per short ton of leased substances produced from the leased premises.

The lessee executed the readjustment instrument and submitted it to the Trust Lands Administration, along with the required annual rental payment of \$500 for the current lease year. The lease shall again be subject to readjustment by Lessor at the end of the current five-year term, or January 1, 2014. The perlite mine located upon the property is currently idled by economic conditions. The Minerals Group believes that the present lease readjustment best serves the interests of the Trust.

Upon recommendation of Mr. Blake, the Director approved the lease readjustment.

**EXPIRATION OF ML 50501-MP (SCH)**

The following Mineral Materials Permit for Carbonaceous Shale reached the end of its term on September 30, 2008, and is expired. Mined land disturbances were reclaimed during the fall season of 2008, but have not yet received final reclamation approval. The Division of Oil, Gas & Mining ("DOGM") continues to hold a reclamation bond for the property under DOGM Permit Number S0550026.

ML 50501-MP

Organa Mineral Products, Inc.  
515 West 300 North, Suite F  
St. George, UT 84770

T27S, R9E, SLB&M.SEC. 2: NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ 

Wayne

80.00 acres

*This item was submitted by Mr. Blake for record-keeping purposes only.*

**NAME CHANGE – INTERNATIONAL URANIUM (USA) CORPORATION WITH AND INTO DENISON MINES (USA) CORP. – ML 49703-OBA – METALLIFEROUS MINERALS LEASES (SCH)**

This office has received evidence that effective December 13, 2006, International Uranium (USA) Corporation changed their name to Denison Mines (USA) Corp., 1050-17<sup>th</sup> Street, Suite 950, Denver, CO 80265, covering the above-numbered lease.

*This item was submitted by Mr. Stokes for record-keeping purposes only.*

**TOTAL ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES**

Upon recommendation of Ms. Garrison, the Director approved the assignment of the leases listed below to Bill Barrett Corporation, 1099 18<sup>th</sup> Street, Suite 2300, Denver, CO 80202, by Turner Petroleum Land Services, Inc. No override.

OWNERSHIP BEFORE ASSIGNMENT:

**RECORD TITLE:**

**TURNER PETROLEUM LAND  
SERVICES, INC. – 100%**

OWNERSHIP AFTER ASSIGNMENT:

**RECORD TITLE:**

**BILL BARRETT CORPORATION - 100%**

....ML 51432 (SCH: 39.40; IB: 39.32)....ML 51433 (SCH)....ML 51514 (SCH)....

Upon recommendation of Ms. Garrison, the Director approved the assignment of the lease listed below to XTO Energy Inc., 810 Houston Street, Fort Worth, TX 76102, by Dominion Exploration & Production Inc. No override.

OWNERSHIP BEFORE ASSIGNMENT:

**RECORD TITLE:**

**DOMINION EXPLORATION &  
PRODUCTION INC. – 100%**

OWNERSHIP AFTER ASSIGNMENT:

**RECORD TITLE:**

**XTO ENERGY INC. – 100%**

....ML 48771 (SCH)....

**INTEREST ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES**

Upon recommendation of Ms. Garrison, the Director approved the assignment of 25% interest in and to the lease listed below to XTO Energy Inc., 810 Houston Street, Fort Worth, TX 76102, by Dominion Exploration & Production Inc. No override.

**OWNERSHIP BEFORE ASSIGNMENT:*****RECORD TITLE:***

III EXPLORATION COMPANY – 28.125%,  
 QUESTAR EXPLORATION AND  
 PRODUCTION CO. – 21.875%,  
***DOMINION EXPLORATION &  
 PRODUCTION INC. – 25%,***  
 ALAN B. NICOL – 12.5%, AND  
 JAMES P. ROONEY – 12.5%

**OWNERSHIP AFTER ASSIGNMENT:*****RECORD TITLE:***

III EXPLORATION COMPANY – 28.125%,  
 QUESTAR EXPLORATION AND  
 PRODUCTION CO. – 21.875%,  
***XTO ENERGY INC. – 25%,***  
 ALAN B. NICOL – 12.5%, AND  
 JAMES P. ROONEY – 12.5%

....ML 47058 (SCH)....

Upon recommendation of Ms. Garrison, the Director approved the assignment of 25% interest in the wellbore rights and production therefrom of Dominion Kings Canyon #10-36D Well located 1932' FEL and 779' FSL in and to the lease listed below to XTO Energy Inc., 810 Houston Street, Fort Worth, TX 76102, by Dominion Exploration & Production Inc. No override.

**OWNERSHIP BEFORE ASSIGNMENT:*****RECORD TITLE:***

III EXPLORATION COMPANY – 28.125%,  
 QUESTAR EXPLORATION AND  
 PRODUCTION CO. – 21.875%,  
 XTO ENERGY INC. – 25%,  
 ALAN B. NICOL – 12.5%, AND  
 JAMES P. ROONEY – 12.5%

***WELLBORE FROM DOMINION KINGS CANYON  
#10-36D WELL LOCATED 1932' FEL & 779' FSL***

III EXPLORATION COMPANY – 28.125%,  
***DOMINION EXPLORATION &  
 PRODUCTION INC. – 25%,***  
 QUESTAR EXPLORATION AND  
 PRODUCTION COMPANY – 21.875%,  
 ALAN B. NICOL – 8.75%,  
 JAMES P. ROONEY – 8.75%, AND  
 PENDRAGON ENERGY PARTNERS INC. – 7.5%

**OWNERSHIP AFTER ASSIGNMENT:*****RECORD TITLE:***

III EXPLORATION COMPANY – 28.125%,  
 QUESTAR EXPLORATION AND  
 PRODUCTION CO. – 21.875%,  
 XTO ENERGY INC. – 25%,  
 ALAN B. NICOL – 12.5%, AND  
 JAMES P. ROONEY – 12.5%

***WELLBORE FROM DOMINION KINGS CANYON  
#10-36D WELL LOCATED 1932' FEL & 779' FSL***

III EXPLORATION COMPANY – 28.125%,  
***XTO ENERGY INC. – 25%,***  
 QUESTAR EXPLORATION AND  
 PRODUCTION CO. – 21.875%,  
 ALAN B. NICOL – 8.75%,  
 JAMES P. ROONEY – 8.75%,  
 PENDRAGON ENERGY PARTNERS INC. – 7.5%

....ML 47058 (SCH)....

**ASSIGNMENT, CONVEYANCE, AND BILL OF SALE – ML 16532 (SCH) – OIL, GAS, AND HYDROCARBON**

Upon recommendation of Ms. Garrison, the Director approved the assignment of any and all interest in and to the lease listed above by and between *Devon Energy Operating Corporation*, for itself and as successor in interest by merger to: *Alta Energy Corporation, Alta Commonwealth Limited II, Alta Commonwealth Limited III, Alta 1984-II Limited Drilling Partnership, and Alta Gas Marketing* formerly known as Phoenix Natural Gas Corporation (collectively referred to as "Assignor") and *Snyder Oil Corporation*, 1625 Broadway, Suite 2200, Denver, CO 80202 (hereinafter called "Assignee").

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**S U R F A C E   A C T I O N S**

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**RANGE IMPROVEMENT PROJECTS****RANGE IMPROVEMENT PROJECT NO. 346 - WITHIN GP 22327-08 AND GP 22427-08 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Trust Lands Administration  
130 N. Main  
Richfield, UT 84701

**LEGAL DESCRIPTION OF LANDS DIRECTLY AFFECTED:**

T40S, R17W, SLB&M  
Section 2: SW $\frac{1}{4}$

T40S, R16W, SLB&M  
Section 8: S $\frac{1}{2}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$   
Section 17: N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$   
Section 20: E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$

COUNTY: Washington                      FUND: School, School of Mines, and University

**REQUESTED/PROPOSED ACTION:**

The proposed action, in cooperation with the Utah Division of Forestry Fire & State Lands ("FF&SL"), is to remove invading pinyon and juniper trees and decadent brush on 300 acres near the communities of Veyo and Dameron Valley. These fuels reduction treatments are planned to create defensible space in the event of a wildfire. This project will be completed using a bull-hog or dozers with a chain and with a hand crew using chainsaws where there are cultural sites or steep rocky slopes. The treatment areas/strips will be seeded with fire resistant vegetation including forage kochia. Some trees will be left for aesthetic purposes at approximately 20 foot spacing. The Bureau of Land Management ("BLM") is completing a fuels reduction project on public lands which directly ties into the Veyo fuels reduction project on trust lands.

**RELEVANT FACTUAL BACKGROUND:**

On December 22, 2009, the applicant submitted a proposal for this range improvement project. A search of Agency records was made to determine the status of the area involved. The grazing permits of record on the affected area are GP 22327-08 and GP 22427-08. Two easements for power lines (ESMT 690 and ESMT 1153) and one easement for a road (ESMT 1061) are on record on these trust land parcels, but they will not be affected by this proposed project.

**RANGE IMPROVEMENT PROJECT NO. 346 - WITHIN GP 22327-08 AND GP 22427-08 (APPROVAL)**  
**(CONTINUED)**

This project was submitted to the Resource Development Coordinating Committee ("RDCC") on December 23, 2008. No comments have been received to date. The Five County Association of Governments commented in a letter recommending "approval" and stated that "these projects will create fire breaks adjacent to residential development, thus enhancing public safety." The Trust Lands Administration's development staff reviewed this project proposal and supports it.

A cultural resource survey was conducted by Agency and BLM staff. All cultural resources will be avoided.

Funding of this project will be provided by FF&SL. This project funding will not be amortized.

**EVALUATION OF THE FACTS:**

The proposed range improvement is not located on land affected by (a) or (b) of R850-50-1100(5). The proposed fuels reduction treatment fills a critical need to create fire breaks adjacent to existing residential development, thus enhancing public safety.

Based on the above information and upon recommendation by Mr. Ron Torgerson, the Director approved Range Improvement Project No. 346. This summary will constitute the Record of Decision.

**RIGHTS OF ENTRY**

**RIGHT OF ENTRY NO. 5285 (APPROVAL)**

On February 11, 2009, the School and Institutional Trust Lands Administration received an application from Chamberlain Stone, Inc., 942 S. 960 E., St. George, UT 84790, to occupy the following trust lands for the purpose of a temporary staging area. The applicant will be selling surface rocks and needs a location to stage the rocks to reduce traffic on the land and simplify the truck loading. The applicant has the mineral lease (ML 51499-MP) adjacent to the permitted property, but needs a flat spot for loading trucks. A cultural resource survey (04-HQ-0795) was performed by HRA, Inc. Conservation Archaeology, as part of the mineral lease approval, and the permitted area has been cleared for the permitted use.

Township 43 South, Range 16 West, SLB&M  
Section 11: Within the NW¼

Containing 0.85 acres, more or less.

The fee for this right of entry is \$500.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$600.00. The term will be one year, beginning February 24, 2009, and expiring January 23, 2010. Washington County. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director approved Right of Entry No. 5285.

**EASEMENTS****EASEMENT NO. 1412 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Emery Telcom  
P.O. Box 629  
455 East Highway 29  
Orangeville, Utah 84537

**LEGAL DESCRIPTION:**

Township 21 South, Range 23 East, SLB&M  
Section 24: SW $\frac{1}{4}$ NW $\frac{1}{4}$  (within)

A 10 foot wide easement, being 5 feet on each side of its centerline, said centerline being situated within Section 24, T21S, R23E, SLB&M, Grand County, Utah, and being more particularly described as follows:

Beginning at a point at the intersection of a line which is 17 feet perpendicularly distant to the edge of County Road 175 and the east line of the west half of the northwest quarter of said Section 24, said point also lies 1324.69 feet N 89°47'00" W along the section line and 1355.64 feet south of the north quarter corner of said Section 24; running thence southwesterly parallel with and 17 feet perpendicularly distant to the edge of County Road 175 the following two courses: S 72°22'09" W 233.18 feet to a point of curvature of a 3675.50 foot radius curve to the left; thence southwesterly 1247.40 feet along the arc of said curve (chord bears S 62°38'48" W 1241.43 feet) to the west line of said Section 24 and terminating. Total length is 1480.58 feet. Contains 0.34 acre more or less.

Township 21 South, Range 23 East, SLB&M  
Section 23: W $\frac{1}{2}$ SE $\frac{1}{4}$  (within)  
Section 26: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$  (within)  
Section 27: SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$  (within)

A 10 foot wide easement, being 5 feet on each side of its centerline, said centerline being situated in Sections 23, 26, and 27, T21S, R23E, SLB&M, Grand County, Utah, and being more particularly described as follows:

Beginning at a point at the intersection of a line which is 17 feet perpendicularly distant to the edge of County Road 175 and the west line of the northeast quarter of the southeast quarter of said Section 23, said point also lies 3976.34 feet west and 3545.68 feet south of the north quarter corner of said Section 24; running thence southwesterly parallel with and 17 feet perpendicularly distant to the edge of County Road 175 the following 3 courses: S 36°02'52" W 1780.63 feet to a point of curvature of a 3524.50 foot radius curve to the right; thence southwesterly 836.13 feet along the arc of said curve (chord bears S 42°50'38" W 834.17 feet); thence S 49°38'25" W 5142.34 feet; thence S 00°01'30" W 10.50 feet to a point which lies 25 feet perpendicularly distant to the edge of Highway 128, and running thence parallel with and 25 feet perpendicularly distant to the edge of Highway 128 the following 3 courses: S 49°38'25" W 446.34 feet to a point of curvature of a 3532.50 foot radius curve to the right; thence southwesterly 1414.78 feet along the arc of said curve (chord bears S 61°06'50" W 1405.34 feet); thence S 72°35'15" W 2175.23 feet to the south line of said Section 27 and terminating. Said point of terminus bears 79.62 feet N 59°48'47" E from the southeast reference monument to the southwest corner of said Section 27. Total length is 11,805.95 feet. Contains 2.71 acres more or less.

**EASEMENT NO. 1412 (APPROVAL) (CONTINUED)**Township 21 South, Range 23 East, SLB&M

Section 32: S½NW¼ (within)

A 10 foot wide easement, being 5 feet on each side of its centerline, said centerline being situated in Section 32, T21S, R23E, SLB&M, Grand County, Utah, and being more particularly described as follows:

Beginning at a point at the intersection of a line which is 25 feet perpendicularly distant to the edge of County Road 175 and the west line of the southwest quarter of the northeast quarter of said Section 32, said point also lies 21200.35 feet west and 12733.25 feet south of the north quarter corner of said Section 24; running thence southwesterly parallel with and 25 feet perpendicularly distant to the edge of County Road 175 S 80°42'28" W 1949.86 feet; thence N 10°42'41" W 128.78 feet; thence N 30°38'22" W 47.70 feet; thence N 46°30'16" W 101.31 feet; thence N 55°07'59" W 111.68 feet to an existing fence and terminating. Said point of terminus bears 10339.28 feet S 77°59'44" W from the southeast reference monument to the northeast corner of Section 33. Total length is 2339.33 feet. Contains 0.54 acres more or less.

Township 21 South, Range 23 East, SLB&M

Section 33: NW¼NE¼, NE¼NW¼ (within)

A 10 foot wide easement, being 5 feet on each side of its centerline, said centerline being situated in Section 33, T21S, R23E, SLB&M, Grand County, Utah, and being more particularly described as follows:

Beginning at a point at the intersection of a line which is 25 feet perpendicularly distant to the edge of County Road 175 and the west line of the northeast quarter of the northeast quarter of said Section 33, said point also lies 14584.89 feet west and 11004.58 feet south of the north quarter corner of said Section 24, and running thence southwesterly parallel with and 25 feet perpendicularly distant to the edge of County Road 175 S 72°35'15" W 2768.39 feet to the west line of the northeast quarter of the northwest quarter of said Section 33 and terminating. Said point of terminus bears 4188.30 feet S 72°49'42" W from the southeast reference monument to the northeast corner of Section 33. Total length is 2768.39 feet. Contains 0.64 acres more or less.

COUNTY: Grand

ACRES: 4.23

FUND: School

**PROPOSED ACTION:**

The applicant requests an easement to construct, operate, repair, and maintain a buried fiber optics communications line located on the Cisco Block in Grand County. The new fiber optics line will service a cell tower operated by Verizon Wireless on the Cisco Block near Exit #202 on I-70. The line will be placed alongside SR-128 and Grand County Road #175 and will be located entirely within the existing road rights-of-way. There is an existing pole line running approximately 200-700 feet south of the proposed new corridor that will be replaced by this new line. Upon completion of this new line, the old pole line will be removed and all rights to the old line will be relinquished. The proposed easement corridor is 18,394.25 feet long and 10 feet wide, containing 4.23 acres. The term of the easement will be 30 years.

**RELEVANT FACTUAL BACKGROUND:**

The proposed project was exempt from review by the Resource Development Coordinating Committee ("RDCC") because it will be placed entirely within existing road rights-of-way and will result in no new ground disturbance.

The project area has been surveyed for cultural resources by Transcon Environmental (U-08-TN-0864b,p,s). No cultural sites were identified on trust lands during the survey. The Trust Lands Administration's staff archaeologist has reviewed this survey and has granted archaeological clearance for the project with a finding of "No Historic Properties Affected."



**EASEMENT NO. 1412 (APPROVAL) (CONTINUED)****EVALUATION OF FACTS:**

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1412 for a term of 30 years beginning March 1, 2009, and expiring February 28, 2039, with the easement fee being \$6,688.82 plus the \$750.00 application fee. Pursuant to R850-40-1800, an administrative fee will be assessed every three years throughout the term of the easement, with the first payment being due on January 1, 2012.

**EASEMENT NO. 1456 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Garfield County School District  
P.O. Box 398  
Panguitch, Utah 84759

**LEGAL DESCRIPTION:**

Township 35 South, Range 3 East, SLB&M  
Section 16: S½NE¼, N½SE¼ (within)

That portion of Section 16, Township 35 South, Range 3 East, Salt Lake Meridian, Garfield County, Utah, more particularly described as follows:

Commencing 135.00 feet N 0°33'37" E along said section line and 992.65 feet West of the East center quarter corner of Section 16, Township 35 South, Range 3 East, Salt Lake Meridian, to Point of Beginning (Center of Well); thence 225.96 feet S 59°03'34" W; thence 16.21 feet S 53°10'16" W; thence 146.04 feet S 59°33'05" W; thence 93.02 feet S 76°53'52" W; thence 115.40 feet S 58°02'12" W; thence 221.88 feet N 63°57'04" W; thence 121.38 feet N 62°01'04" W; thence 67.91 feet N 56°05'00" W; thence 42.12 feet N 49°53'07" W; thence 40.81 feet West; thence 421.12 feet N 89°55'57" W; thence 259.97 feet S 89°18'50" W, more or less, to West property line of the Utah State trust land.

The easement shall be 50 feet in width, 25 feet on each side of the as-constructed center line of said facilities. Contains 2.03 acres more or less.

COUNTY: Garfield

ACRES: 2.03

FUND: School

**EASEMENT NO. 1456 (APPROVAL) (CONTINUED)****PROPOSED ACTION:**

The applicant requests an easement to construct, operate, repair, and maintain a 6-inch diameter buried culinary/irrigation pipeline and an underground power line located east of Escalante in Garfield County. The pipeline and power line will be used to service a proposed water well which will also be located within Section 16 on trust lands. A lease for the well is currently under consideration as Special Use Lease Application No. 1520 ("SULA 1520"). Water from the well will be used to irrigate the Escalante High School grounds and ball fields. Initial development of the well site and pipeline/power line system has been previously authorized under Right of Entry No. 5241. The proposed easement corridor is 1,771.82 feet long and 50 feet wide, containing 2.03 acres. The term of the easement will be 30 years, which is consistent with the proposed term of SULA 1520.

**RELEVANT FACTUAL BACKGROUND:**

The Resource Development Coordinating Committee ("RDCC") review was initiated on November 10, 2008. Comments were received from the Five County Association of Governments as follows:

*"The Utah Trust Lands Administration proposes to issue an easement authorizing the installation of a 6-inch water pipe and power line to service the Escalante High School. Local officials are strong supporters of the project, which will allow for a reliable source of irrigation water for school grounds."*

The applicant has been notified of the comments provided by RDCC.

The project area has been surveyed for cultural resources by Bighorn Archaeological Consultants (U-07-HO-0285s). One significant site (42Ga6076) was located near the project area; however, this site will be avoided by all construction activities. The Trust Lands Administration's staff archaeologist has reviewed this survey and has granted archaeological clearance for the project.

In order to protect the future development potential of the lands surrounding the easement, a relocation clause will be included in the easement agreement.

**EVALUATION OF FACTS:**

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1456 for a term of 30 years beginning March 1, 2009, and expiring February 28, 2039, with the easement fee being \$1,932.89 plus the \$750.00 application fee. The administrative fee required pursuant to R850-40-1800 has been paid in a one-time payment of \$1,000.00.

**EASEMENT NO. 1477 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

PacifiCorp, DBA Rocky Mountain Power  
Right of Way Services  
1407 West North Temple, Suite 110  
Salt Lake City, Utah 84116

**LEGAL DESCRIPTION:**

Township 18 South, Range 5 West, SLB&M  
Section 6: Lots 1-4 (within)

Township 18 South, Range 6 West, SLB&M  
Section 2: Lots 1 & 2 (within)

An easement, 10 feet in width, being 5 feet on each side of the following described centerline:

Beginning at a point on the west boundary line of Grantor's land that is located S 88°49'15" W 2664.8 feet along the north section line and S 00°36'16" W 146.2 feet along the quarter section line from the northeast corner of Section 2, Township 18 South, Range 6 West, Salt Lake Base and Meridian; running thence N 88°05'13" E 2666 feet to a point on the Grantor's east boundary line. Contains 0.58 acres, more or less.

Also beginning at a point on the west boundary line of Grantor's land that is located S 00°48'35" W 8.8 feet along the west section line from the northwest corner of Section 6, Township 18 South, Range 5 West, Salt Lake Base and Meridian; running thence N 78°16'39" E 17.9 feet to a point that is 5 feet south of the north section line; thence parallel to the north section line S 89°38'00" E 5312.1 feet to a point on Grantor's east boundary line. Contains 1.17 acres, more or less.

Less that portion lying within Utah Power & Light Co. property (Entry #154832, Millard County Recorder's Office)

Being 7,651 feet (1.45 miles) in length, 1.75 acres total.

Township 17 South, Range 5 West, SLB&M  
Section 31: Lot 4 (within)

Beginning at the southwest corner of Section 31, Township 17 South, Range 5 West, Salt Lake Base and Meridian; running thence North 43.41 feet; thence N 84°19'19" E 22.53 feet; thence S 05°40'41" E 46.03 feet to the section line; thence N 89°38'00" W 26.98 feet along the section line to the point of beginning. Containing 1104 square feet or 0.025 acres.

COUNTY: Millard

ACRES: 1.78

FUNDS: School & Reservoirs

**PROPOSED ACTION:**

The applicant requests an easement to construct, operate, repair, and maintain an overhead power distribution line in Millard County. The proposed power line will cross a portion of the Oak City Block to the southeast of Delta. This distribution power line will be used to service the Bliss Dairy. The power line will be constructed alongside an existing county maintained road (4500 South) and will be contained entirely within the existing road right-of-way as delineated by a fence on the ground. It is anticipated that there will be no new ground disturbance associated with the construction of this power line. The proposed easement corridor is 7,651 feet long and 10 feet wide, containing 1.78 acres. The term of the easement will be 30 years.

**EASEMENT NO. 1477 (APPROVAL) (CONTINUED)****RELEVANT FACTUAL BACKGROUND:**

The proposed easement was exempt from review by the Resource Development Coordinating Committee ("RDCC") because it will be installed entirely within an existing road right-of-way and will result in no new ground disturbance.

The Trust Lands Administration's staff archaeologist has reviewed the proposed project and has determined that, since there will be no new ground disturbance, a cultural resources survey will not be required.

**EVALUATION OF FACTS:**

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1477 for a term of 30 years beginning March 1, 2009, and expiring February 28, 2039, with the easement fee being \$5,596.89 plus the \$750.00 application fee. The administrative fee required pursuant to R850-40-1800 has been paid in a one-time payment of \$1,000.00.

**EASEMENT NO. 1465 (CORRECTION OF DIRECTOR'S MINUTES DATED FEBRUARY 9, 2009)**

On the Director's Minutes of February 9, 2009, the Director approved Easement No. 1465, issued to West Ridge Resources, Inc., 794 North 'C' Canyon Road, P.O. Box 910, East Carbon, Utah, 84520. The easement was issued for the purpose of the construction, operation, repair, and maintenance of a fiber optics communication line. The easement was issued for a term of 30 years.

It has been discovered that in the legal description for Segment #6 (Right Fork of Bear Canyon), the lands in Section 3 were incorrectly listed as:

Township 14 South, Range 13 East, SLB&M  
Section 3: *NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> (within)*

The correct description should read:

Township 14 South, Range 13 East, SLB&M  
Section 3: **SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> (within)**

Carbon County. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the correction to the Director's Minutes dated February 9, 2009.

**EASEMENT NO. 780 (ASSIGNMENT)**

Qwest Corporation, 700 W. Mineral Ave., Littleton, Colorado, 80120, has requested permission to assign 100% of its interest in Easement No. 780 to Skyline Telecom, 35 South State, P.O. Box 7, Fairview, Utah, 84629. Easement No. 780 was originally issued by the Bureau of Land Management ("BLM") as UTU-63224 on June 1, 1988, for a buried fiber optics communications line. The right of way was issued for a term of 30 years, with the expiration date being May 3, 2018. A portion of the right of way was transferred to the Trust Lands Administration on January 19, 2001, through the West Desert Exchange. The portion of the right of way that was transferred to the Trust Lands Administration was assigned the reference number Easement No. 780.

The required \$250.00 assignment fee has been paid. The expiration date remains May 3, 2018. As a condition of the assignment, the assignee will be required to execute an amended and restated easement agreement, which will contain the Trust Lands Administration's standard terms and conditions and will replace the existing BLM right of way grant.

Tooele County. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the assignment of Easement No. 780.

**SPECIAL USE LEASE AGREEMENTS****SPECIAL USE LEASE AGREEMENT NO. 1520 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Garfield School District  
P.O. Box 398  
Panguitch, UT 84759

APPLICATION TYPE: GOV

TERMS: 30 YEARS

BEGINNING DATE: March 1, 2009

ENDING DATE: February 28, 2039

NEXT REVIEW DATE: March 1, 2012

FIRST YEAR RENTAL: \$ 600.00

APPLICATION FEE: \$ 250.00

PROCESSING FEE: \$ 700.00

ADVERTISING FEE: \$ 210.00

TOTAL SUBMITTED: \$1,760.00

**LEGAL DESCRIPTION:**

Township 35 South, Range 3 East, SLB&M  
Section 16: within SE¼

Commencing 31.00 feet N 0°33'37" E along said section line and 887.631 feet West of the East center quarter corner of Section 16, Township 35 South, Range 3 East, Salt Lake Meridian, to Point of Beginning; thence 208.00 feet North; thence 208.00 feet West; thence 208.00 feet South; thence 208.00 feet East to said point of beginning.

COUNTY: Garfield

ACRES: 0.99

FUND: School

**PROPOSED ACTION:**

The applicant desires to lease this land for an irrigation well site.

**SPECIAL USE LEASE AGREEMENT NO. 1520 (APPROVAL) (CONTINUED)****RELEVANT FACTUAL BACKGROUND:**

On November 17, 2008, the Trust Lands Administration received Special Use Lease Application No. 1520 from Garfield School District for an irrigation well site. The application and advertising fees were paid and receipted appropriately. There is one existing grazing permit within this section, GP 23147, issued to Link Chynoweth, and one Mineral Lease, ML 50337, issued to Wilmington Trust Company. A copy of the public notice was sent to all lessees, permittees, and adjoining landowners. No competing applications or comments were received from this notification. The application was not submitted to the Resource Development Coordinating Committee ("RDCC") because this is a continuation of an existing use authorized under current Right of Entry No. 5241 and expired Right of Entry No. 5109. There will be no new surface disturbance.

Initial consultation with the Agency's staff archaeologist resulted in a recommendation that a cultural resource survey be required. This survey was completed as part of the processing of the original right of entry. This survey has been reviewed and accepted. No historic sites will be affected.

**EVALUATION OF FACTS:**

The application was advertised through the standard process and no competing applications or comments were received. As no other competing applications were received, the initial application by the Garfield County School District was selected for review pursuant to R850-30-500(2)(g). The applicant was notified of the need to submit a sealed bid pursuant to rule. A bid was received which proposes to pay rental in the amount of \$600.00 per year.

R850-30-400 requires that the Trust Lands receive at least fair market value for surface leases. Market research on this property indicates a value of \$800.00 to \$1500.00 per acre. Based on this land value, the annual lease payment offered by the applicant of \$600.00 per year meets the fair market value requirements established by rule.

The proposed lease term is 30 years. This term is within the standard term for government leases described in R850-30-200. It also coincides with the term on the easement for the pipeline associated with this lease (ESMT 1456).

This action is exempt from the narrative Record of Decision process because the action is not substantive nor does it warrant the time and expense necessary to complete a full narrative record, and the action will not restrict an interested party access to an appeal process.

Upon recommendation of Mr. Lou Brown, the Director approved SULA 1520 for a term of 30 years, with a three-year rental review pursuant to R850-30-400(4). Based on the above evaluation, this summary will constitute the record of decision.

**SPECIAL USE LEASE NO. 1527 (WITHDRAWAL OF APPLICATION)**

On May 28, 2008, the Trust Lands Administration received an application from OGE Enogex, 515 Central Park Drive, Ste 408, Oklahoma City, OK 73105, for an industrial lease for an oil refinery. This project has been discontinued and the applicant has requested withdrawal of the application. No fees have been paid. Carbon County. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director approved the withdrawal of SULA 1527.

**SPECIAL USE LEASE AGREEMENT NO. 1094 (RECLAMATION BOND)**

Pursuant to Paragraph 14 of the lease agreement, Sprint Spectrum Realty Company, L.P., c/o Global Signal, 301 North Cattlemen Rd., Sarasota, FL 34232, has submitted Corporate Surety Bond No. K08122209. The bonding company is Westchester Fire Insurance Company, 436 Walnut Street, WA10H, Philadelphia, PA 19106-3703. The reclamation bond is for \$10,000.00 and will remain in full force and effect until released by Trust Lands Administration. Tooele County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director accepted the bond submitted for SULA 1094.

**SPECIAL USE LEASE AGREEMENT NO. 1282 (RECLAMATION BOND)**

Pursuant to Paragraph 14 of the lease agreement, Pinnacle Towers, LLC, a subsidiary of Global Towers and Crown Castle, 301 North Cattleman Rd., 3<sup>rd</sup> Floor, Sarasota, FL 34232, has submitted Corporate Surety Bond No. K08122246. The bonding company is Westchester Fire Insurance Company, 436 Walnut Street, WA10H, Philadelphia, PA 19106-3703. The reclamation bond is for \$5,000.00 and will remain in full force and effect until released by Trust Lands Administration. Utah County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director accepted the bond submitted for SULA 1282.

**SPECIAL USE LEASE AGREEMENT NO. 1129 (RECLAMATION BOND)**

Pursuant to Paragraph 14 of the lease agreement, Uintah Basin, dba UBTA-UBET Communications, Inc., 225 East 200 North, Roosevelt, UT 84066, has submitted Bond No. 1BD0582221, UT-8180092. The bonding company is National Farmers Union Property & Casualty Company, 5619 DTC Parkway, Suite 300, Greenwood Village, CO 80111-3136. The reclamation bond is for \$10,000.00 and will remain in full force and effect until released by Trust Lands Administration. Uintah County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director accepted the bond submitted for SULA 1129.

**SPECIAL USE LEASE AGREEMENT NO. 1599 (RECLAMATION & PERFORMANCE BOND)**

Milford Wind Corridor, LLC, c/o First Wind Energy, LLC, 85 Wells Avenue, Suite 305, Newton, MA 02459, has submitted Irrevocable Letter of Credit No. SB000136 dated January 15, 2009, in the amount of \$50,000.00. The bonding company is HSH Nordbank AG, New York Branch, 230 Park Avenue, 31<sup>st</sup> Floor, New York, NY 10169-0005. The letter of credit, in-lieu of a reclamation & performance bond, expires on January 23, 2009. Millard and Beaver Counties. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director accepted the letter of credit submitted for SULA 1599.

**SPECIAL USE LEASE AGREEMENT NO. 1599 (RECLAMATION & PERFORMANCE BOND – AMENDMENT 1)**

Milford Wind Corridor, LLC, c/o First Wind Energy, LLC, 85 Wells Avenue, Suite 305, Newton, MA 02459, has submitted Amendment 1 to Letter of Credit No. SB000136 dated January 15, 2009, in the amount of \$50,000.00. The bonding company is HSH Nordbank AG, New York Branch, 230 Park Avenue, 31<sup>st</sup> Floor, New York, NY 10169-0005. This Amendment 1 to the Letter of Credit extends the expiration date to February 26, 2009. Millard and Beaver Counties. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director accepted Amendment 1 extending the expiration date to the Letter of Credit submitted for SULA 1599.

**SPECIAL USE LEASE AGREEMENT NO. 867 (THREE-YEAR REVIEW)**

SULA 867 is issued to Scott Gibson, 1173 South 250 West #208, St. George, UT 84770. The lease parcel is located in Kane County. School fund.

1. ANNUAL RENTAL:

The three-year review date for this lease is March 1, 2009. The subject property is used for tourist attractions based on western themed cookouts and horseback rides. The lease provides for rental adjustments every three years. Based upon a recent appraisal, it is recommended that the lease fee be increased from \$2,500.00 per year to \$11,050.00 per year. The Trust Lands Administration intends to take this action on March 1, 2009. A certified notice was sent to inform the lessee of this action and the right to oppose and/or appeal the action. The lessee responded that he agreed to the rental adjustment but requested a lease amendment that accommodates quarterly payments instead of an annual payment. An amendment to the lease, adopting a quarterly payment schedule effective March 1, 2009, and correcting the legal description and other procedural matters, is currently being prepared. The amendment will be submitted separately for the Director's approval.

New lease fee: \$11,050.00

Acres in lease: 44.00

Rental Per Acre: \$251.14

2. DUE DILIGENCE:

The development allowed by this lease has not occurred. It is recommended that the lease be kept in full force until the next review period because the lessee is currently trying to assign the lease to another party.

3. PROPER USE:

The leased premises are currently raw and undisturbed lands. There doesn't appear to be any unwanted or unapproved development taking place on the subject property.

4. ADEQUATE BOND COVERAGE:

Currently no bond is in place for the subject lease.

5. ESTABLISHMENT OF WATER RIGHTS:

There are no water rights associated with this property. However, there are some water connections available to Kanab City water.



**SPECIAL USE LEASE AGREEMENT NO. 867 (THREE-YEAR REVIEW) (CONTINUED)****6. POLLUTION AND SANITATION REGULATIONS:**

The lessee appears to be in compliance with the pollution, sanitation, and waste provisions of the lease. There doesn't appear to be any underground gas storage tanks associated with this lease.

**7. NEXT REVIEW:**

The next review date is March 1, 2012.

Upon recommendation of Mr. Bryan Torgerson, the Director approved the three-year review for SULA 867.

**SPECIAL USE LEASE AGREEMENT NO. 1002 (THREE-YEAR REVIEW)**

SULA 1002 is a telecommunications lease to WWC Holding Company, Inc., c/o Alltel Communications, Attn. Property Management Dept., P.O. Box 2177, Little Rock, AR, 72203-2177. The lease is located in Millard County. School Fund.

**1. ANNUAL BASE RENTAL:**

The three-year review date for this telecommunication lease is April 1, 2009. The subject property is used for the purpose of a communication site for a cellular tower on the Fillmore (Cedar Mountain) site. The lease agreement provides for periodic increases in the annual base rental amount. Pursuant to provisions in the lease agreement regarding adjusting market value to adjust the annual rental, it is recommended that the annual base rental be increased from \$5,456.00 per year to \$6,500.00 per year, effective April 1, 2009. A certified notice was sent to inform the lessee of this action. No response has been received to date.

Subleasing: Any subleasing revenue assessed is in addition to the annual base rental amounts discussed above. There are no known or reported subleases on this lease site.

Preliminary Estimate of Land Value: \$60.00 (based on \$1,000.00 per acre)

New Annual Base Rental Amount: \$6,500.00

Acres in Lease: 0.06 (50 ft. x 50 ft. site)

Rental Amount / Acre: \$108,000.00

The existing communication lease site is considered the highest and best use of a small parcel of this type of land. The difference in the fair market value of the subject parcel and the surrounding lands valued as raw lands vs. the highest and best use return as a communication site is significant.

**2. DUE DILIGENCE AND PROPER USE:**

The development allowed by the lease has occurred. It is recommended that the lease be kept in force. The leased premises are being used in accordance with the lease agreement.

**3. ADEQUATE INSURANCE AND BOND COVERAGE:**

Insurance coverage is current and adequate for the lease agreement. The lease does not require a bond, but there is a provision to request one if needed. A bond has been requested and the lessee is currently in the process of providing a bond for the site.

**4. ESTABLISHMENT OF WATER RIGHTS:**

There are no water rights associated with this lease.

**SPECIAL USE LEASE AGREEMENT NO. 1002 (THREE-YEAR REVIEW) (CONTINUED)**

## 5. POLLUTION AND SANITATION REGULATIONS:

The Trust Lands Administration is unaware of any violations of valid sanitation and pollution regulations as prescribed by any governmental agency having jurisdiction. There is no evidence of underground storage tanks on the premises.

## 6. NEXT REVIEW DATE:

The next review date shall be April 1, 2012.

Upon recommendation of Mr. Gary Bagley, the Director approved the three-year review for SULA 1002.

**CLARIFICATION OF OWNERSHIP**

Recent ownership record clean-up on the Business System has necessitated clarification of the following trust lands received on School Indemnity List No. 169:

Township 38 South, Range 11 West, SLB&M  
Section 19: Part Lot 3

Washington County  
13.05 acres

All other documents, including the BLM's master title plat, show the entire Lot 3 was conveyed. As Lot 3 contains a total of 13.05 acres, it is assumed that IL 169 contains a typographical error and that all of Lot 3 was conveyed. Records have been changed to show ownership as follows:

Township 38 South, Range 11 West, SLB&M  
Section 19: Lot 3

Washington County  
13.05 acres

*This item was submitted by Ms. Diane Durrant for record-keeping purposes.*

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## DEVELOPMENT ACTIONS

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### **DEVELOPMENT EXCHANGE NO. 289 – SNOW CANYON DEVELOPMENT, INC. - ENTRADA**

THE FOLLOWING EXCHANGE HAS BEEN EXECUTED, A PATENT HAS BEEN ISSUED, AND A GENERAL WARRANTY DEED RECEIVED:

EXCHANGE NO.: 289  
 DATE OF TRANSACTION: September 15, 2000  
 PROJECT: Entrada  
 PROJECT CODE: ENTRD 001 00  
 FUND: Miners Hospital  
 COUNTY: Washington  
 BOARD APPROVED: March 15, 2000  
 PATENT NO.: 19609  
 PATENT DATE: February 28, 2003  
 WARRANTY DEED NO.: 000195  
 WARRANTY DEED DATE: August 18, 2003

EXCHANGE PARTNER:  
 SNOW CANYON DEVELOPMENT, INC.  
 75 West Center Street  
 Provo, Utah 84601

#### DESCRIPTION OF TRANSACTION:

This exchange was executed pursuant to Development Lease DEVL 642, dated September 15, 2000. Paragraph 6.5 of the development lease provides for the exchange of small parcels to rationalize property lines prior to subdivision, in such a manner that each property owner owns entire lots. The exchange shall be executed without compensation. The acreage of exchange parcels is approximately the same and the exchanged lands are of similar characteristics and value.

#### LANDS CONVEYED TO SNOW CANYON DEVELOPMENT, INC.:

##### LEGAL DESCRIPTION:

##### **Area 1**

##### Township 42 South, Range 16 West, SLB&M

Section 3: (Within) being more particularly described as follows:

Beginning at a point on the center section line; said point being South 01°15'43" West, along said center section line, 609.46 feet from the North Quarter Corner of Section 3, Township 42 South, Range 16 West, Salt Lake Base & Meridian (Basis of Bearing is South 89°01'38" East between the Southwest corner and the South Quarter corner of said Section 3); and running thence South 12°36'24" East, 162.79 feet to a point of non-tangency on a 300.00 foot radius curve to the right; thence 40.47 feet along said curve through a central angle of 07°43'43" (chord bears South 76°02'49" West, 40.44 feet) to a point on said center section line; thence North 01°15'43" East, along said center section line, 168.65 feet to the point of beginning. Containing 3,309 square feet, more or less.

**DEVELOPMENT EXCHANGE NO. 289 – SNOW CANYON DEVELOPMENT, INC. - ENTRADA**  
**(CONTINUED)**

**Area 2**

**Township 42 South, Range 16 West, SLB&M**

Section 3: (Within) being more particularly described as follows:

Beginning at a point on the center section line; said point being South 01°15'43" West, along said center section line, 867.37 feet from the North Quarter Corner of Section 3, Township 42 South, Range 16 West, Salt Lake Base & Meridian (Basis of Bearing is South 89°01'38" East between the Southwest corner and the South Quarter corner of said Section 3); and running thence South 07°29'35" East, 54.29 feet; thence South 82°30'25" West, 8.36 feet to a point on said center section line; thence North 01°15'43" East, along said center section line, 54.93 feet to the point of beginning. Containing 227 square feet, more or less.

**Area 3**

**Township 42 South, Range 16 West, SLB&M**

Section 3: (Within) being more particularly described as follows:

Beginning at a point on the center section line; said point being South 01°15'43" West, along said center section line, 1202.38 feet from the North Quarter Corner of Section 3, Township 42 South, Range 16 West, Salt Lake Base & Meridian (Basis of Bearing is South 89°01'38" East between the Southwest corner and the South Quarter corner of said Section 3); and running thence South 61°39'18" East, 50.55 feet; thence South 28°20'42" West, 17.85 feet to a point on a 425.00 foot radius curve to the right; thence 70.05 feet along said curve through a central angle of 09°26'36" (chord bears South 33°04'00" West, 69.97 feet) to a point on said center section line; thence North 01°15'43" East, along said center section line, 98.37 feet to the point of beginning. Containing 2,332 square feet, more or less.

**Area 4**

**Township 42 South, Range 16 West, SLB&M**

Section 3: (Within) being more particularly described as follows:

Beginning at a point on the center section line; said point being South 01°15'43" West, along said center section line, 1440.27 feet from the North Quarter Corner of Section 3, Township 42 South, Range 16 West, Salt Lake Base & Meridian (Basis of Bearing is South 89°01'38" East between the Southwest corner and the South Quarter corner of said Section 3); and running thence South 39°46'01" East, 114.77 feet; thence South 25°45'46" West, 22.17 feet; thence West, 66.16 feet to a point on said center section line; thence North 01°15'43" East, along said center section line, 108.21 feet to the point of beginning. Containing 4,736 square feet, more or less.

Total acreage conveyed to Snow Canyon Development: 10,604 square feet (0.243 acres), more or less.

NUMBER OF ACRES BY COUNTY: 0.243 acres - Washington County

NUMBER OF ACRES BY FUND: 0.243 acres – Miners Hospital

MINERAL LEASES GIVEN UP: None

SURFACE LEASES GIVEN UP: None

**LIST MINERAL RESERVATIONS:**

Excepting and reserving to the State all coal and other mineral deposits (except for oil and gas, which was previously reserved by the United States), along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits as provided by Statute.

**DEVELOPMENT EXCHANGE NO. 289 – SNOW CANYON DEVELOPMENT, INC. - ENTRADA  
(CONTINUED)**

**LIST SURFACE RESERVATIONS:**

Subject to an easement across the property as may be necessary and reasonable to access lands administered by the School and Institutional Trust Lands Administration; also,

Excepting and reserving to the State of Utah, School and Institutional Trust Lands Administration, its successors in interest, assigns, permittees and lessees, a perpetual easement across the property to adjoining property owned by the State of Utah; also,

Subject to any valid, existing easement or right of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels and telephone and transmission lines that have been or may be constructed by authority of the United States as provided by Statute.

**LANDS CONVEYED TO TRUST LANDS ADMINISTRATION:**

**LEGAL DESCRIPTION:**

**Area A**

**Township 42 South, Range 16 West, SLB&M**

Section 3: (Within) being more particularly described as follows:

Beginning at a point on the center section line; said point being South 01°15'43" West, along said center section line, 778.11 feet from the North Quarter Corner of Section 3, Township 42 South, Range 16 West, Salt Lake Base & Meridian (Basis of Bearing is South 89°01'38" East between the Southwest corner and the South Quarter corner of said Section 3); and running thence South 01°15'43" West, along said center section line, 89.26 feet; thence North 07°29'35" West, 87.92 feet to a point of non-tangency on a 300.00 foot radius curve to the left; thence 13.59 feet along said curve through a central angle of 02°35'45" (chord bears North 81°12'33" East, 13.59 feet) to the point of beginning. Containing 597 square feet, more or less.

**Area B**

**Township 42 South, Range 16 West, SLB&M**

Section 3: (Within) being more particularly described as follows:

Beginning at a point on the center section line; said point being South 01°15'43" West, along said center section line, 1032.26 feet from the North Quarter Corner of Section 3, Township 42 South, Range 16 West, Salt Lake Base & Meridian (Basis of Bearing is South 89°01'38" East between the Southwest corner and the South Quarter corner of said Section 3); and running South 01°15'43" West, along said center section line, 170.12 feet; thence North 61°39'18" West, 77.45 feet; thence North 28°20'42" East, 151.47 feet to the point of beginning. Containing 58,866 square feet, more or less.

**Area C**

**Township 42 South, Range 16 West, SLB&M**

Section 3: (Within) being more particularly described as follows:

Beginning at a point on the center section line; said point being South 01°15'43" West, along said center section line, 1300.75 feet from the North Quarter Corner of Section 3, Township 42 South, Range 16 West, Salt Lake Base & Meridian (Basis of Bearing is South 89°01'38" East between the Southwest corner and the South Quarter corner of said Section 3); and running thence South 01°15'43" West, along said center section line, 139.52 feet; thence North 39°46'01" West, 95.27 feet to a point of non-tangency on a 425.00 foot radius curve to the left; thence 92.31 feet along said curve through a central angle of 12°26'41" (chord bears North 44°00'39" East, 92.13 feet) to the point of beginning. Containing 4,209 square feet, more or less.

Total acreage conveyed to Trust Lands Administration: 10,672 square feet (0.245 acre), more or less.

**DEVELOPMENT EXCHANGE NO. 289 – SNOW CANYON DEVELOPMENT, INC. - ENTRADA  
(CONTINUED)**

**LIST SURFACE RESERVATIONS:**

Subject to easements, restrictions and rights of way appearing of record or enforceable in law and equity and general property taxes for the year 2003 and thereafter.

NUMBER OF ACRES BY COUNTY: 0.245 acres - Washington County

NUMBER OF ACRES BY FUND: 0.245 acres – Miners Hospital

*This item was submitted by Alexa Wilson for record-keeping purposes.*

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**ACTIONS CONTAINING FEE WAIVERS**

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**NONE**